

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**FILED**

2006 JUN -8 PM 3: 57

CLERK US DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

BY                       
DEPUTY

**3M Innovative Properties Co., and**

## Pouyet, S.A.

**Plaintiffs,**

**v.**

# Western Pacific Telecommunications and

## Ventec Enterprises, Inc.

**Defendants.**

§ §

**Civil Action No.**

**A 06 CA 341 SS**

## JURY TRIAL DEMANDED

## UNOPPOSED REQUEST FOR EXTENSION OF TIME TO RESPOND

Defendant Western Pacific Telecommunications (“Western Pacific”) files this *Unopposed Request for Extension of Time to Respond to Plaintiffs’ Motion and Brief in Support of 3M IPC’s Motion for Preliminary Injunction and Motion to Show Cause*, and would show the Court as follows:

## Background

Plaintiffs filed their *Motion and Brief in Support of 3M IPC's Motion for Preliminary Injunction and Motion to Show Cause* on May 31, 2006. Western Pacific's response to such motion is due on June 12, 2006.

Prior to Plaintiffs filing such motion, Dwayne Goetzel, lead counsel for Western Pacific for this matter, told counsel for Plaintiffs that he would be out of the country on vacation and would require an extension to respond to such motion as a matter of professional courtesy. Mr.

Goetzel has been on a long planned vacation in Europe since May 29, 2006 and is not scheduled to return until June 15, 2006.<sup>1</sup> Plaintiffs' Counsel does not oppose this motion.

**Request for an Extension**

Western Pacific requests that the Court grant it an extension of time to respond to Plaintiffs' *Motion and Brief in Support of 3M IPC's Motion for Preliminary Injunction and Motion to Show Cause*, whereby Western Pacific's response will be due on and including June 23, 2006. This request is not made for purposes of delay or harassment, but so that justice may be done.

A proposed order is attached.

Respectfully submitted,

By: 

Dwayne K. Goetzel

Texas State Bar No. 08059500

Eric B. Meyertons

Texas State Bar No. 14004400

Ryan T. Beard

Texas State Bar No. 24012264

MEYERTONS, HOOD, KIVLIN,

KOWERT & GOETZEL, P.C.

700 Lavaca, Suite 800

Austin, Texas 78701

(512) 853-8800 (telephone)

(512) 853-8801 (facsimile)

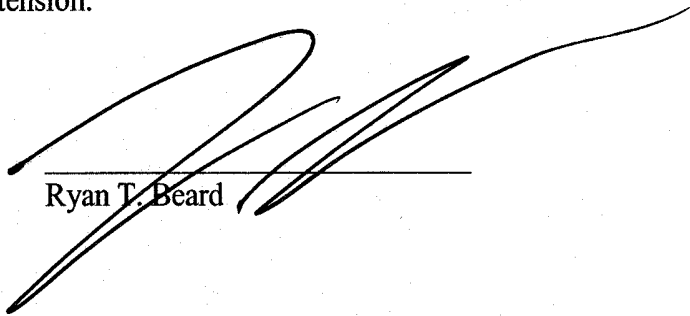
**ATTORNEYS FOR DEFENDANTS**

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<sup>1</sup> Eric Meyertons, also counsel for Western Pacific, was on a long-planned vacation from May 26, 2006 to June 5, 2006. Plaintiffs and their counsel were also told of Mr. Meyertons' vacation prior to Plaintiffs filing their motion with the Court.

**Certificate of Conference**

Pursuant to Local Rule CV-7(h), I conferred with Plaintiffs' counsel on this extension and he stated that Plaintiffs do not oppose the extension.



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Ryan T. Beard

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing pleading was forwarded via U.S. First Class mail to the following on this 8<sup>th</sup> day of June 2006:

Alan D. Albright  
Fish & Richardson, P.C.  
One Congress Plaza  
111 Congress Avenue, Suite 810  
Austin, Texas 78701



\_\_\_\_\_  
Ryan T. Beard

